

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

COUNCIL ON AMERICAN-ISLAMIC
RELATIONS – MINNESOTA, LEAGUE OF
WOMEN VOTERS OF MINNESOTA,

Plaintiffs,

v.

ATLAS AEGIS LLC, ANTHONY
CAUDLE, JOHN DOES #1-10,

Defendants.

Civil Action No.

DECLARATION OF MICHELLE WITTE

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I am the Executive Director of League of Women Voters of Minnesota (“LWVMN”). In my role, I function as the chief administrative and development officer for the organization.

The League of Women Voters of Minnesota

2. Founded a century ago, LWVMN is a non-profit civic engagement organization with the mission to encourage informed and active participation in government, increase understanding of major public policy issues, and influence public policy through education and advocacy. LWVMN works with Minnesotans to conduct state and local advocacy, voter engagement, civic education, and member enrichment programs. LWVMN is nonpartisan, neither supporting nor opposing candidates or political parties at any level of government, but always working on vital issues of concern to members and the public. LWVMN has approximately 2,400 members throughout Minnesota, most of whom are registered to vote in Minnesota.

Michelle Witte
10/19/20

3. This year, our programs to support our mission to empower voters, defend democracy, and provide fair access to the ballot have included: registering voters; conducting non-partisan candidate forums; preparing and posting an online voter guide to learn about the candidates; and working with district courts to register newly naturalized citizens. Through our work with newly naturalized citizens, we help more than 8,000 people register every year. We also work closely with schools through our local Leagues and Youth Civic Engagement Fellowship Program to register and empower high school students to vote.

The Atlas Aegis Campaign

4. LWVMN first learned that Atlas Aegis LLC was sending armed personnel to Minnesota polling stations when it was reported on October 9, 2020, in the Washington Post. Our colleagues at other voting rights organizations immediately notified us of their concerns that these statements will intimidate voters because they threaten confrontation with armed ex-military at the polls and threaten potential violence at the polls. We have since received similarly alarmed communications from our members, who are also frequently asked about safety concerns at the polls from community members. The story has spread rapidly amongst the voting rights community in Minnesota and has raised grave concerns about voter intimidation.

5. Many of LWVMN's members are civically active and have been paying attention to the recent vigilante and "militia" violence that has taken place in the neighboring state of Wisconsin, where an armed vigilante killed protestors, and the militia plots against the Michigan and Virginia governors. Just this week, a similar plot was revealed against the mayor of Wichita, Kansas. As a result, these members take Defendants' threats to be serious and credible and are frightened by the prospect of being confronted by Defendants' armed mercenaries at the polls.

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JGW
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6. Atlas Aegis's statement that they are targeting "Antifa" is deeply concerning because it indicates they are focusing their intimidation on a specific group of voters. This is directly contrary to the fundamental right to equal access to the ballot.

7. Atlas Aegis's campaign is a direct assault on our organization's foundational mission to help new, young and/or vulnerable voters exercise their rights to participate in democracy. We have a duty, based on our mission, to ensure the thousands of voters we have registered to vote are able to fairly and safely participate in democracy on Election Day.

8. Intimidating voters from voting in person will have deleterious impacts on voter participation, notwithstanding the possibility of mail-in-voting. Many voters prefer to vote in person, particularly because there have been widespread concerns raised about the reliability of the postal service. Even many who chose to vote by mail drop their ballots at drop-off stations. We have already received questions from voters about whether there may be interference at drop off points for early ballots and must now also address these new concerns posed by Atlas Aegis.

9. Significantly, Minnesota allows same-day voter registration. New voters are able to register in-person as they vote early or on November 3, 2020 – but only if they appear in person. As a result, efforts to keep new voters (like young people, new citizens and others who may have just become eligible) away from polling sites will directly interfere with new voters who would otherwise register to vote on their Election Day.

10. Many new voters who would otherwise register to vote on their Election Day are particularly vulnerable to Atlas Aegis's militia-style intimidation, because they have fled from countries where they were subjected to similar threats of violence.

Diversion of Resources

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11. LWVMN has diverted substantial resources to address the Atlas Aegis threat that could have been used elsewhere to further our mission.

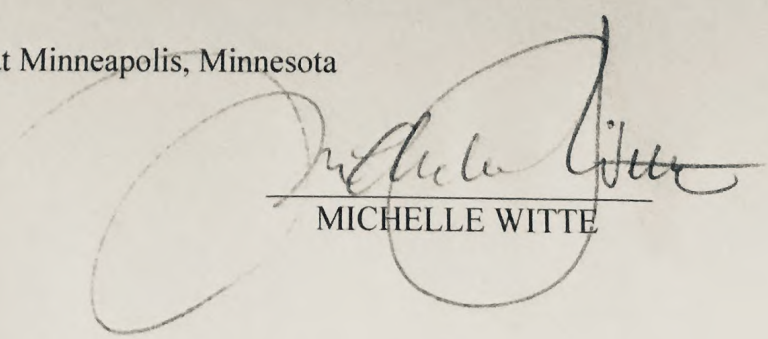
12. For example, our staff—both at the state office and at our thirty-five local Leagues—have spent time speaking with voters to allay their fears from the threat of armed guards at polling stations. We have similarly needed to spend time speaking and strategizing with partners in the voting rights advocacy community about the same issue. Our staff have spent time researching the laws that would restrict Atlas Aegis's ex-soldiers from interfering with voting. In a recent webinar, we addressed these topics with our members. Because our members are on the front lines of voter advocacy, they are frequently subject to other voter questions about their concerns about voter intimidation. As a result, we need to spend time getting information to our regional Leagues, and they, in turn, must spend time with their constituents.

13. This cascade of efforts expends resources that—absent the Atlas Aegis threat—could otherwise be directed towards our core mission.

14. The damage from the Atlas Aegis campaign to undermine voter participation in the electoral process is an attack on the right to vote that is at the core of our mission.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on October 19, 2020 at Minneapolis, Minnesota



MICHELLE WITTE

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